

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DAVID HABIB,

Plaintiff,

v.

No. 1:21-cv-00925-KG-JHR

UNITED STATES OF AMERICA, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER OF DISMISSAL

THIS MATTER comes before the Court on *pro se* Plaintiff's failure to comply with the Court's Order to Cure Deficiency, Doc. 3, filed September 22, 2021 ("Cure Order").

Plaintiff, who does not reside in the District of New Mexico, seeks to have his Petition presented to the Grand Jury, makes vague allegations of civil rights violations regarding the presidential election, does not allege that any criminal violations occurred in the District of New Mexico, and seeks a declaration, subject to sufficient findings by the Grand Jury, that the presidential election is void. *See* Petition to the United States Grand Jury for Criminal Violations of Civil Rights, Doc. 1, filed September 14, 2021.

Plaintiff did not pay the \$402.00 fee for instituting a civil action or file an "Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)." United States Magistrate Judge Jerry H. Ritter ordered Plaintiff to either pay the fee or file an Application to Proceed in District Court Without Prepaying Fees or Costs, and notified Plaintiff that failure to timely comply may result in dismissal of this case. *See* Cure Order at 1. Plaintiff did not pay the fee or file an Application to Proceed in District Court Without Prepaying Fees or Costs by the October 13, 2021, deadline.

IT IS ORDERED that this case is DISMISSED without prejudice.


UNITED STATES DISTRICT JUDGE